



05-09-02
(32)

Atty. Docket No.: 18433/2042

PATENT

My \$1
Box 500

UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rance et al
Serial No.: 09/963,803
Filed: September 26, 2001
Entitled: Chimeric Expression Promoters
Originating From Commelina Yellow
Mottle Virus and Cassava Vein Mosaic
Virus

Examiner: Unknown

Group Art Unit: Unknown

Conf. No.: 9170

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL932821302US** on this date, **May 8, 2002**, postage prepaid, in an envelope addressed to Box: Provisional Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Joyce C. Hersh

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Notice to File Missing Parts mailed November 9, 2001;
2. Copy of Notice to File Missing Parts - Part 2;
3. Executed Declaration and Power of Attorney;
4. Amendment;
5. Petition for Extension of Time;
6. Statement under 37 C.F.R. 1.82 (f) and (g);
7. Sequence Listing: Paper Copy and Computer Readable Copy;
8. Check in the amount of \$1562.00 for the requisite fee; and
9. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 18433/2042. A duplicate of this transmittal letter is enclosed for this purpose.

Date:

May 8, 2002

Respectfully submitted,

Name: Kathleen M. Williams

Registration No.: 34,380

Customer Number 29933

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Joyce C. Hersh
Reg. No. 42,890
for:



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Joyce C. Hersh

Name of Person Mailing Paper

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Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Sir:

This is filed in response to the Notice to File Missing Parts of Non-Provisional Application mailed November 9, 2001.

1. The Notice stated that the basic filing fee and additional claims fee is missing. A check is enclosed in the amount of \$1562.00 which includes:

- a) \$355.00 basic filing fee for small entity;
- b) \$162.00 additional claims fee;
- c) \$65.00 surcharge for late filing fee or declaration; and
- d) \$980.00 extension of time.

2. The Notice stated that the Declaration is unsigned.

An executed Declaration/Power of Attorney is enclosed.

3. The Notice stated that the application fails to comply with the requirements of 37 C.F.R. 1.821-1.825.

An amended sequence listing, paper copy and computer readable copy, is enclosed.

Date:

May 8, 2002

Respectfully submitted,

Kathleen Williams

Name: Kathleen Williams
Registration No.: 34,380
Customer No.: 29933
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100

Joyce C. Hersh
Reg. NO. 42,890
for:



UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 08 2002

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 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/963,803	09/26/2001	Iann Rance	18433/2042

CONFIRMATION NO. 9170

27495

 PALMER & DODGE, LLP
 ONE BEACON STREET
 BOSTON, MA 02108-3190

Docketed

Response Due

Statutory Period

 Palmer & Dodge LLP
 Patent Department

FORMALITIES LETTER



OC000000007046195

Date Mailed: 11/09/2001

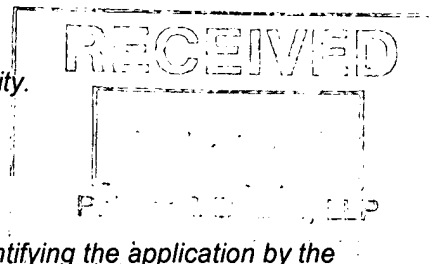
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$162.
 - \$27 for 3 total claims over 20.
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 582.



- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

05/13/2002 RNEBRAFT 00000064 09963803

 02 FC:201
 03 FC:205
 04 FC:203
 05 FC:204

 Adjustment date: 06/20/2002 YGIZAH
 05/18/2002 RNEBRAFT 00000064 09963803
 -900.00 OP

06/20/2002 RNEBRAFT 00000064 09963803

 02 FC:202
 03 FC:203
 04 FC:204
 05 FC:205

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE